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DEC 04 2007

In re Application of :
Rolf Theo Anton Apetz :
Application No. 10/566,963 : **OFFICE OF PETITIONS**
Filed: January 26, 2006 : **DECISION ON PETITION**
Attorney Docket No. DE030261 :

This is a decision on the petition under 37 CFR 1.137(b), filed May 22, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed November 1, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on February 2, 2007. A Notice of Abandonment was mailed on May 10, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the reply to the Office action of November 1, 2006 is accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This application is being referred to Technology Center AU 1746 for appropriate action in the normal course of business on the reply received May 22, 2007.


Frances Hicks
Petitions Examiner
Office of Petitions